

COPY

STATE OF ILLINOIS  
ILLINOIS COMMERCE COMMISSION

NORFOLK SOUTHERN RAILWAY COMPANY,

Petitioner,

v.

CITY OF JACKSONVILLE, ILLINOIS, ILLINOIS :  
DEPARTMENT OF TRANSPORTATION, and :  
THE BURLINGTON NORTHERN and SANTA FE :  
RAILWAY COMPANY, :

Respondents.

Petition to permit closing of an existing at-grade crossing :  
in the City of Jacksonville, Morgan County, Illinois :  
To-Wit: Brown Street (MP 447.47WC; DOT 479 403 P) :  
and to consider improvements at :  
Johnson Street (MP 446.86WC; DOT 479 401 B); :  
Howe Street (MP 447.15WC; DOT 479 402 H); :  
East Street (MP 447.73WC; DOT 479 405 D); :  
Prairie Street (MP 448.30WC; DOT 479 410 A); :  
Diamond Street (MP 448.40WC; DOT 479 411 G); :  
Caldwell Street (MP 448.73WC; DOT 479 413 V); :  
Sandusky Street (MP 448.89WC; DOT 479 414 C); :  
Webster Street (MP 449.05WC; DOT 479 416 R) :

Docket No: 701-0070

ILLINOIS COMMERCE  
COMMISSION  
DEC 4 12 41 PM '01  
TRANSPORTATION DIV.

**PETITION**

NOW COMES Petitioner, NORFOLK SOUTHERN RAILWAY COMPANY, and for its  
Petition states:

1. That Petitioner Norfolk Southern Railway Company (hereinafter "Norfolk Southern")  
is a rail carrier operating lines of railroad in interstate and intrastate commerce including certain  
tracks passing through the City of Jacksonville, Morgan County, Illinois (hereinafter "City of  
Jacksonville");

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2. That Respondent Burlington Northern and Santa Fe Railway Company is a rail carrier operating lines of railroad in interstate and intrastate commerce including certain tracks passing into and through the tracks of Petitioner Norfolk Southern and through the City of Jacksonville;

3. That within the City of Jacksonville, certain public streets and highways cross the aforesaid lines of railroad, which crossings are subject to the jurisdiction of the Illinois Commerce Commission under the terms of the Illinois Commercial Transportation Law (625 ILCS 5/18c-1101 et seq.);

4. That the subject Norfolk Southern trackage runs through the City of Jacksonville in a generally east-west direction;

**JOHNSON STREET**  
**(MP 446.86WC, DOT 479 401 B)**

5. That Johnson Street is a public street in and is subject to the jurisdiction of the City of Jacksonville. Johnson Street crosses the single mainline track of Norfolk Southern at approximately a 90° angle;

6. That the average daily traffic (ADT) over the Johnson Street crossing is approximately 850; and there are approximately twenty-five (25) through train movements daily over the Johnson Street crossing;

7. That the Johnson Street grade crossing is currently protected by automatic flashing light signals with a sidelight mounted on the northwest signal mast directed to the west toward East Railroad Street;

8. That the public safety and convenience would be best served by the installation of

automatic flashing light signals and gates controlled by constant warning time circuitry at the Johnson Street grade crossing;

**HOWE STREET**  
**(MP 447.15WC, DOT 479 402 H)**

9. That Howe Street is a public street in and is subject to the jurisdiction of the City of Jacksonville. Howe Street crosses the single mainline track of Norfolk Southern at approximately a 90° angle;

10. That the average daily traffic (ADT) over the Howe Street crossing is approximately 1,100; and there are approximately twenty-five (25) through train movements daily over the Howe Street crossing;

11. That the Howe Street grade crossing is currently protected by automatic flashing light signals with a sidelight mounted on the northwest signal mast directed to the east toward East Railroad Street and on the southeast signal mast directed to the west toward Mathers Street;

12. That the public safety and convenience would be best served by the installation of automatic flashing light signals and gates controlled by constant warning time circuitry at the Howe Street grade crossing;

**BROWN STREET**  
**(MP 447.47WC, DOT 479 403 P)**

13. That Brown Street is a public street in and is subject to the jurisdiction of the City of Jacksonville. Brown Street crosses the single mainline track of Norfolk Southern at approximately a 90° angle;

14. That the average daily traffic (ADT) over the Brown Street crossing is less than 250; and there are approximately twenty-five (25) through train movements daily over the Brown Street crossing;

15. That the Brown Street grade crossing is currently protected by automatic flashing light signals with sidelights mounted on the northwest and southeast signal masts;

16. That the public safety and convenience would be best served by the permanent closure, abolition and removal of the at grade crossing at Brown Street;

17. That the adverse travel distance is approximately .5 miles.

**EAST STREET**  
**(MP 447.73WC, DOT 479 405 D)**

18. That East Street is a public street in and is subject to the jurisdiction of the City of Jacksonville. East Street crosses the single mainline track and a siding track of Norfolk Southern at approximately a 90° angle;

19. That the average daily traffic (ADT) over the East Street crossing is approximately 1,000; and there are approximately twenty-five (25) through train movements daily over the East Street crossing;

20. That the East Street grade crossing is currently protected by automatic flashing light signals with a sidelight mounted on the northwest signal mast directed toward LaFayette Street;

21. That the public safety and convenience would be best served by the installation of automatic flashing light signals and gates controlled by constant warning time circuitry at the East Street grade crossing;

**PRAIRIE STREET**  
**(MP 448.30WC, DOT 479 410 A)**

22. That Prairie Street is a public street in and is subject to the jurisdiction of the City of Jacksonville. Prairie Street crosses the single mainline track of Norfolk Southern at approximately a 90° angle;

23. That the average daily traffic (ADT) over the Prairie Street crossing is approximately 1,800; and there are approximately twenty-five (25) through train movements daily over the Prairie Street crossing;

24. That the Prairie Street grade crossing is currently protected by automatic flashing light signals;

25. That the public safety and convenience would be best served by the installation of automatic flashing light signals and gates controlled by constant warning time circuitry at the Prairie Street grade crossing;

**DIAMOND STREET**  
**(MP 448.40WC, DOT 479 411 G)**

26. That Diamond Street is a public street in and is subject to the jurisdiction of the City of Jacksonville. Diamond Street crosses the single mainline track of Norfolk Southern at approximately a 90° angle;

27. That the average daily traffic (ADT) over the Diamond Street crossing is approximately 1,350; and there are approximately twenty-five (25) through train movements daily over the Diamond Street crossing;

28. That the Diamond Street grade crossing is currently protected by automatic flashing light signals with sidelights;

29. That the public safety and convenience would be best served by the installation of automatic flashing light signals and gates controlled by constant warning time circuitry at the Diamond Street grade crossing;

**CALDWELL STREET**  
**(MP 448.73WC, DOT 479 413 V)**

30. That Caldwell Street is a public street in and is subject to the jurisdiction of the City of Jacksonville. Caldwell Street crosses the single mainline track of Norfolk Southern at approximately a 90° angle;

31. That the average daily traffic (ADT) over the Caldwell Street crossing is approximately 950; and there are approximately twenty-five (25) through train movements daily over the Caldwell Street crossing;

32. That the Caldwell Street grade crossing is currently protected by automatic flashing light signals;

33. That the public safety and convenience would be best served by the installation of automatic flashing light signals and gates controlled by constant warning time circuitry at the Caldwell Street grade crossing;

**SANDUSKY STREET**  
**MP 448.89WC, DOT 479 414 C)**

34. That Sandusky Street is a public street in and is subject to the jurisdiction of the City of Jacksonville. Sandusky Street crosses the single mainline track of Norfolk Southern at approximately a 90° angle;

35. That the average daily traffic (ADT) over the Sandusky Street crossing is approximately 1,600; and there are approximately twenty-five (25) through train movements daily over the Sandusky Street crossing;

36. That the Sandusky Street grade crossing is currently protected by automatic flashing light signals;

37. That the public safety and convenience would be best served by the installation of automatic flashing light signals and gates controlled by constant warning time circuitry at the Sandusky Street grade crossing;

**WEBSTER STREET**  
**(MP 449.05WC, DOT 479 416 R)**

38. That Webster Street is a public street in and is subject to the jurisdiction of the City of Jacksonville. Webster Street crosses the single mainline track of Norfolk Southern at approximately a 90° angle;

39. That the average daily traffic (ADT) over the Webster Street crossing is approximately 1,600; and there are approximately twenty-five (25) through train movements daily over the Webster Street crossing;

40. That the Webster Street grade crossing is currently protected by automatic flashing light signals;

41. That the public safety and convenience would be best served by the installation of automatic flashing light signals and gates controlled by constant warning time circuitry at the Webster Street grade crossing;

42. That as measured along the tracks, the distance from the easternmost crossing (i.e., Johnson Street) to the westernmost crossing (i.e., Webster Street) is approximately 2.2 miles;

43. That including the Webster Street crossing and the Johnson Street crossing, there are twelve (12) at grade crossings within 2.2 miles;

WHEREFORE, Petitioner Norfolk Southern respectfully requests that the Commerce Commission

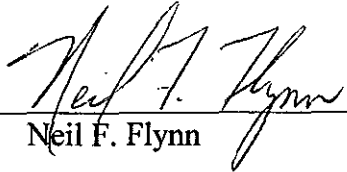
- a) enter an Order directing the permanent closure, abolition and removal of the Brown Street crossing; directing Norfolk Southern to remove the automatic flashing light signals at the Brown Street crossing; and directing that 100% of the cost of such closure and signal removal work shall be borne by Petitioner Norfolk Southern;
- b) enter an Order directing that automatic flashing light signals and gates controlled by constant warning time circuitry be installed at the Johnson Street, Howe Street, East Street, Prairie Street, Diamond Street, Caldwell Street, Sandusky Street and Webster Street grade crossings; and



- c) that the costs of the signalization upgrade and improvements be equitably allocated between the Grade Crossing Protection Fund and Petitioner Norfolk Southern, and that no such costs be allocated or borne by Respondent Burlington Northern and Santa Fe Railway Company, nor by Respondent City of Jacksonville.

Respectfully submitted,

NORFOLK SOUTHERN RAILWAY  
COMPANY, Petitioner

By:   
Neil F. Flynn

**Dated: December 4, 2001**

Neil F. Flynn  
Attorney at Law  
1035 South Second Street  
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(217) 544-0261

### CERTIFICATE OF SERVICE

The undersigned certifies that on December 4, 2001, a copy of the foregoing instrument was served upon the following parties by depositing said instruments in the U.S. Mail, with postage thereon fully prepaid, at Springfield, Illinois, plainly addressed as follows:

Kevin Sharpe, Director of Processing  
Illinois Commerce Commission  
527 East Capitol  
Springfield, IL 62701

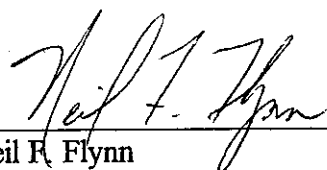
James L. Slifer, Director  
Division of Highways  
Illinois Department of Transportation  
2300 South Dirksen Parkway/Room 311  
Springfield, IL 62764

Mr. Bob Berry  
Railroad Staff  
Illinois Commerce Commission  
527 East Capitol  
Springfield, IL 62701

Susan Moreland  
City Clerk  
City of Jacksonville  
200 West Douglas Avenue  
Jacksonville, IL 62650-2012

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